

Application No.: (10/700171)
Docket No.: (BC1019USDIV)

Page 3

REMARKS

Claims 1, 2 and 5-12 are in the case.

All claims stand rejected under 35 USC § 112.

Claims 10-12 have been canceled by this amendment.

Claims 1 and 5 have been amended to more clearly define applicants invention.

Information Disclosure Statement

The Information Disclosure Statement (IDS) is not in proper format.

A new IDS is submitted herewith.

Claim Objections

Claims 1, 2, 5-12 are objected to for informalities:

The description of hybridization and wash conditions in claim 1 is unclear. The claim has been amended to overcome this objection. Basis for the amendment is found on page 3, line 1 of the specification.

There is no antecedent basis for the term "fragments" in claim 5, dependant on Claim 1. Claim 5 has been amended to overcome this objection.

Claim 9 is missing a period. The claim has been amended to overcome this objection.

Specification

The specification is objected to as the transmittal sheet indicates that the present application is a divisional, however there is no basis in the claims as filed for the term "when washed with : 0.1X SSC, 0.1% SDS, 65°C"; thus the application should, in the examiner's view, be a continuation in part.

Claim 1 has been amended to re-insert the language original to the claim as filed. Applicants submit the in view of the amendment to the claims the present application is properly a divisional and not a continuation in part.

Claim Rejections – 35 USC § 112

Claims 1, 2, and 5-12 are rejected under 35 USC § 112, second paragraph for indefiniteness. Specifically the examiner finds the inclusion of part (c) of claim 1 confusing as grouped with parts (a) and (b). The claim has been amended to remove part (c). In view of this amendment applicants submit that the claim is clear and complies with 35 USC § 112, second paragraph.

Claims 6-12 are rejected under 35 USC § 112, first paragraph for lack of enablement. Specifically the examiner finds that the specification does not provide enablement for any transformed host cell transformed with a nucleic acid expressing the sequence of SEQ ID

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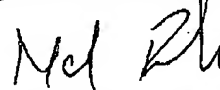
Page 4

NO:4, wherein the host cell is encompassed within a transgenic plant, and is not enabled for methods of altering expression of a *cis*-prenyltransferase in a plant involving antisense orientation of the gene. Applicants traverse.

Claims 10-12 relating to methods of altering expression of *cis*-prenyltransferase have been canceled. Claims 6-9 are drawn to host cells transformed with a nucleic acid encoding SEQ ID NO:4, where the host cell may be a plant cell or a microbial cell. The specification teaches methods for the transformation of plant cells generally (see the discussion in the specification beginning on page 17, line 18). Example 7 details the actual transformation and expression of Arabidopsis with three *cis*-prenyltransferases (SEQ ID NO:9, 15 and 17). Applicants submit that the teaching for this transformation and expression is complete and equally applicable to the nucleic acid encoding SEQ ID NO:4., and respectfully request that the examiner provide a showing as to why transformation of a plant cell as detailed in example 7 would not be applicable to the nucleic acid encoding SEQ ID NO:4.

Applicants submit that in view of the claim amendments and the support in the specification that claims 6-9 are enabled by the specification and respectfully request withdrawal of this rejection under 35 USC § 112.

Respectfully submitted,



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